

M^cGILL UNIVERSITY,

MONTREAL.

EXTRACTS FROM THE WILL OF THE FOUNDER.

ROYAL CHARTER.

Acts of Parliament.

STATUTES.

Montreal:

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1864.

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EXTRACT

FROM THE

WILL OF THE LATE HON. JAMES MCGILL.

" I GIVE and devise all that tract or parcel of land, commonly called Burnside, situated near the city of Montreal aforesaid, containing about forty-six acres, including an acre of land purchased by me from one Sanscrainte, together with the dwelling-house and other buildings thereon erected, with their appurtenances, unto the Honorable John Richardson and James Reid, of the City of Montreal aforesaid, Esquires, the Rev. John Strachan, Rector of Cornwall, in Upper Canada, and James Dunlop, of the said city of Montreal, Esquire, and to their heirs, to, upon, and for the uses, trusts, intents, and purposes, and with, and subject to, the provisions, conditions, and limitations, hereinafter mentioned and expressed, of and concerning the same, that is to say, upon trust that they the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors, or curators of such survivors or survivor, do and shall, as soon as it conveniently can be done after my decease, by a good and sufficient conveyance and assurance, convey and assure the said last-mentioned tract or

Burnside property bequeathed to certain parties in trust.

To convey the same to the Royal Institution for the Advancement of Learning.

Upon condition that Royal Institution in 10 years from Testator's decease, erect a University or College.

If an University then one of the Colleges to be called McGill College.

If one College only erected, to be called McGill College.

Testator's wife, and after her death, F. DesRivières, to en-

parcel of land, dwelling-house, buildings and premises, to the Royal Institution for the Advancement of Learning, constituted and established, or to be constituted and established, under and by virtue of an Act of the Parliament of the Province of Lower Canada, made and passed in the forty-first year of His Majesty's Reign, intituled 'An Act for the establishment of Free Schools and the Advancement of Learning in this Province'—upon and under the conditions, restrictions, and limitations, and to and for the ends, intents, and purposes following, that is to say, upon condition that the said 'Royal Institution for the Advancement of Learning' do and shall, within the space of ten years, to be accounted from the time of my decease, erect and establish, or cause to be erected and established, upon the said last-mentioned tract or parcel of land, an University or College, for the purposes of education, and the advancement of learning in this Province, with a competent number of Professors and Teachers, to render such establishment effectual and beneficial for the purposes intended; and if the said 'Royal Institution for the Advancement of Learning' should so erect and establish, or cause to be erected and established, an University, then upon condition also that one of the Colleges to be comprised in the said University shall be named, and perpetually be known and distinguished, by the appellation of 'McGill College'; and if the said 'Royal Institution for the Advancement of Learning' should not so erect and establish, or cause to be erected and established, an University, but should erect and establish, or cause to be erected and established, a College only, then upon the further conditions that the said College shall be named, and perpetually be known and distinguished, by the appellation of 'McGill College'; and upon condition also, that until such University or College be erected and established, the said 'Royal Institution for the Advancement of Learning' do and shall permit and suffer my said wife, and in case of her death, the said Francis DesRivières, to hold, possess and enjoy the said last-mentioned tract or

parcel of land, dwelling-house, buildings and premises, and to recover, have and receive all and every the rents, issues and profits thereof to and for her and his use and benefit: and upon this other and further express condition, that if the said 'Royal Institution for the Advancement of Learning' should neglect to erect and establish, or cause to be erected and established, such University or College as aforesaid, in manner aforesaid within the said space of ten years, to be accounted from the time of my decease, then and in such case the said conveyance and assurance so made to the said 'Royal Institution for the Advancement of Learning' shall, from and after the expiration of the said space of ten years, become and be absolutely null and void, and all and every the estate, right, title, and interest of the said 'Royal Institution for the Advancement of Learning' of, in, and to the said last-mentioned tract or parcel of land and premises shall cease and be determined, and be as completely extinguished as if such conveyance and assurance had never been made or executed: All which conditions, restrictions, and limitations shall, in apt and sufficient language, be fully expressed in such conveyance and assurance. And upon trust that the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors, or curators of such survivors or survivor of them do and shall permit and suffer my said wife, or, in case of her death, the said Francis DesRivières, to hold, possess and enjoy the said tract or parcel of land, dwelling-house, buildings, and premises, and recover, have, and receive the rents, issues, and profits thereof until the making and executing of the said conveyance and assurance so as aforesaid to be made to the said 'Royal Institution for the Advancement of Learning'; and if the said 'Royal Institution for the Advancement of Learning' should refuse to accept and receive the said conveyance and assurance of the said last-mentioned tract or parcel of land and premises, upon the conditions, restrictions, and limitations herein before expressed and directed, of and concerning the

joy property
till College be
erected.

If Royal Institution fail to
erect College
within 10 years
of Testator's
death, the conveyance to be
null.

same, or should, after the making and accepting of the said conveyance and assurance neglect to erect and establish, or cause to be erected and established, such University or College as aforesaid, in manner aforesaid, within the said space of ten years, to be accounted from the time of my decease, or if, from any legal cause, matter, or thing, the said trust so as aforesaid to convey and assure the said last-mentioned tract or parcel of land and premises to the said 'Royal Institution for the Advancement of Learning,' in the manner herein before directed, should be incapable of being accomplished or carried into effect, or otherwise become or be, or be deemed or construed to be invalid, illegal, or inoperative, then and in either or any of those cases upon trust, and that they the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors, or curators of such survivors or survivor do and shall, from and immediately after the expiration of the said space of ten years, by a good and sufficient conveyance and assurance, convey and assure the said last-mentioned tract or parcel of land, dwelling-house, buildings and premises to the said Francis DesRivières (if then living), and to his heirs and assigns for ever, or if the said Francis Des Rivières should be dead, then to the legal heirs then living, and to their heirs and assigns for ever.

The property in this case is bequeathed to F. DesRivières and his heirs.

I give and bequeath, from and out of the rest and residue of my estates, real and personal, movable and immovable, which shall and may remain after the fulfilment and satisfaction of the several legacies in this my Will contained, the sum of *ten thousand pounds*, current money of the said Province of Lower Canada, to the said John Richardson, James Reid, John Strachan, and James Dunlop, *their heirs, executors, or curators*, upon the trust, and to and for the intents and purposes, and upon the conditions following, that is to say upon trust, that they the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors, and curators of such survivors, do and

£10,000 in money bequeathed in trust.

shall pay the said sum of ten thousand pounds (with the interest to accrue thereon from and after the expiration of three years from my decease) to the said 'Royal Institution for the Advancement of Learning,' when and so soon as the said 'Royal Institution for the Advancement of Learning' shall have erected and established, or cause to be erected and established, an University or College upon the last-mentioned tract or parcel of land, herein before directed to be conveyed to the said 'Royal Institution for the Advancement of Learning,' in manner aforesaid, *to be by the said 'Royal Institution for the Advancement of Learning' paid and applied towards defraying the expense incurred in establishing the said University or College,* and towards maintaining the same after it shall have been erected and established, in such manner and form, and under such regulations as the said 'Royal Institution for the Advancement of Learning' shall in this behalf prescribe. Provided always, that such University or College be erected and established within the space of ten years, to be accounted from the time of my decease: and if such University or College should not be so erected and established within the said space of ten years, then upon trust that they the said John Richardson, James Reid, John Strachan, and James Dunlop, or the survivors or survivor of them, or the heirs, executors, or curators of such survivor, from and immediately after the said expiration of the said space of ten years do and shall pay the said sum of ten thousand pounds, with all and every the interest accrued thereon, to the said Francis DesRivières, if then living, to and for his use and benefit, or if dead, then to his legal heirs then living, to and for their use and benefit."

To be paid to Royal Institution whenever College erected.

To be applied towards defraying expense incurred in establishing College.

And if not erected within 10 years, the money is bequeathed to F. DesRivières or his heirs.

AMENDED CHARTER
OF
MCGILL COLLEGE
AND UNIVERSITY.

*VICTORIA, by the Grace of God, of the United Kingdom
of Great Britain and Ireland, Queen, Defender of
the Faith.*

TO ALL TO WHOM THESE PRESENTS SHALL COME,
GREETING :

Date of Hon.
James McGill's
Will.

Tract of Land
devised to Trus-
tees in trust to
be conveyed to
the Royal Insti-
tution for the
Advancement
of Learning.

WHEREAS, the Honorable JAMES MCGILL, late of the City of Montreal, in that part of the Province of Canada heretofore constituting the Province of Lower Canada, by his last Will and Testament, bearing date at Montreal aforesaid, the eighth day of January, in the year of our Lord one thousand eight hundred and eleven, did give and bequeath a certain tract of land near the said City of Montreal, with the dwelling-house and other buildings thereon erected, to Trustees in trust to convey and assure the same to the Royal Institution for the Advancement of Learning, established by virtue of an Act of the Provincial Parliament of the said then Province of Lower Canada, made

and passed in the forty-first year of the reign of our late Royal Predecessor King George the Third, intituled "An Act for the establishment of Free Schools and the Advancement of Learning in this Province," upon condition that the said Institution should within ten years from the decease of the said James McGill, erect and establish, or cause to be erected and established, upon the said land, an University or College, for the purposes of Education and the Advancement of Learning in the said then Province, with a competent number of Professors and Teachers to render such establishment effectual and beneficial for the purpose intended, and also upon condition that one of the Colleges to be comprised in the said University should be called "McGill College."

And whereas the said James McGill, Esquire, by his said Will, did further give and bequeath to the said Trustees, the sum of ten thousand pounds in trust, to pay the same with interest to accrue thereon from and after the expiration of three years from his decease to the said Royal Institution for the Advancement of Learning, to be applied as soon as the said Institution should have erected an University or College on the said land, towards defraying the expenses thereby incurred, and towards maintaining the said University or College so erected and established.

£10,000 bequeathed to Trustees in trust to be paid with interest to the Royal Institution for the Advancement of Learning.

And whereas our late Royal Predecessor King George the Fourth, upon the humble petition to that effect of the said Royal Institution for the Advancement of Learning, was pleased, by His Letters Patent, bearing date at Westminster the thirty-first day of March in the second year of His Reign, to will and ordain in manner following, that is to say:—

Petition of the Royal Institution for a Charter to His late Majesty George IV.

"Whereas the Honorable James McGill, late of the City of Montreal, in the Province of Lower Canada, now deceased, by his last Will and Testament, bearing date at Montreal the eighth day of January in the year of our Lord one thousand eight hundred and eleven, did give and bequeath a certain tract of land near the said City

Quotation from the Charter granted by His late Majesty George IV.

" of Montreal, with the dwelling-house and other build-
 " ings thereon erected, to Trustees in trust to convey and
 " assure the same to the Royal Institution for the Ad-
 " vancement of Learning, established by virtue of an Act
 " of the Provincial Parliament of Lower Canada, made
 " and passed in the 41st year of the Reign of His late
 " Majesty, intituled 'An Act for the establishment of
 " ' Free Schools and the Advancement of Learning in this
 " ' Province,' upon condition that the said Institution
 " should, within ten years from the decease of the said
 " James McGill, erect and establish, or cause to be erected
 " and established, upon the said land, an University or
 " College, for the purposes of Education and the Advance-
 " ment of Learning in the said Province, with a compe-
 " tent number of Professors and Teachers to render such
 " establishment effectual and beneficial for the purpose
 " intended, and also upon condition that one of the Col-
 " leges to be comprised in the said University should be
 " called 'McGill College';—And whereas the said James
 " McGill, Esquire, by his last Will, did further give and
 " bequeath to the said Trustees the sum of £10,000 in
 " trust, to pay the same, with interest to accrue thereon
 " from and after the expiration of three years from his
 " decease, to the said Royal Institution for the Advance-
 " ment of Learning, to be applied as soon as the said
 " Royal Institution should have erected an University or
 " College on the said land, towards defraying the expenses
 " thereby incurred, and towards maintaining the said
 " University or College so erected and established; And
 " whereas, We have been humbly petitioned by the said
 " 'Royal Institution for the Advancement of Learning,'
 " that We would be pleased to grant our Royal Charter
 " for the more perfect erection and establishment of the
 " said College, and for incorporating the members thereof
 " for the purposes aforesaid, and for such further endow-
 " ment thereof as to Us should seem meet, We, having
 " taken the premises into Our Royal consideration, and
 " being desirous that an University or College should be

established for the education of youth in the principles
 of true religion, and for their instruction in the different
 branches of science and literature, are willing to comply
 with the prayer of the said petition, and to afford every
 assistance towards carrying the intentions of the said
 James McGill into execution.

Therefore, know ye that We, of Our special grace,
 certain knowledge, and mere motion, have willed, ordained,
 and granted, and do by these presents for Us, Our Heirs,
 and Successors, will, ordain, and grant, that upon the
 said land and in the said buildings thereon erected, or
 to be erected, there shall be established from this time
 one College at the least, for the education of youth and
 students in the Arts and Faculties, to continue for
 ever, and that the first College to be erected thereon
 shall be called 'McGill College,' and that Our trusty
 and well beloved the Governor of Lower Canada, Lieu-
 tenant-Governor of Lower Canada, Lieutenant-Governor
 of Upper Canada, the Bishop of Quebec, the Chief
 Justice of Montreal, and the Chief Justice of Upper
 Canada, for the time being, shall be Governors of the
 said McGill College, and that the said McGill College
 shall consist of one Principal, to be elected in manner
 hereinafter mentioned, and who shall be, during his con-
 tinuance in the said office, a Governor of the said Col-
 lege, of four Professors to be also elected in manner
 hereinafter mentioned, and of Fellows, Tutors, and
 Scholars in such numbers, and at such salaries, and sub-
 ject to such provisions, rules, and regulations as shall
 hereafter be appointed by the Statutes, Rules, and Ordi-
 nances of the said College; And We do, by these Pres-
 ents, for Us, Our Heirs and Successors, will, ordain, and
 grant that the Principal and Professors of the said Col-
 lege shall be from time to time elected by the said Go-
 vernors or the major part of them as shall be present at
 any meeting to be holden for such election; and in case
 of an equality of votes, the officer present at such meeting
 whose office is first described in order in these presents

"One College
 at least to be
 established."

"Called McGill
 College."

"Who should
 be Governors of
 said College."

"Officers of
 which said Col-
 lege should
 consist."

"Principal and
 Professors how
 to be elected."

" Election of
Principal and
Professors must
receive sanction
of the Crown."

" Governors in-
structed when
an election is
disallowed."

" The Gover-
nors, Principal,
and Fellows
shall be a body
Corporate, with
certain power
and privileges."

" shall have a double and casting vote ; provided always,
" that the persons by whom such election shall be made
" shall notify the same respectively to Us, Our Heirs, and
" Successors, through one of Our or Their principal Se-
cretaries of State, by the first opportunity, and in case
" that We, Our Heirs, or Successors shall disapprove of
" any person so elected, and shall cause such disapproba-
" tion to be notified to him under the Royal signet and
" sign manual, or through one of the principal Secretaries
" of State, the person so elected as aforesaid shall imme-
" diately upon such notification, cease to hold the office of
" Principal or Professor to which he shall have been
" elected as aforesaid, and the said Governors shall there-
" upon proceed to the election of another person to fill
" the office of such Principal or Professor respectively, and
" so, from time to time, as often as the case shall happen.
" And We do by these presents, for Us, Our Heirs, and
" Successors, will, ordain, and grant that the said Governors,
" Principal, and Fellows, and their Successors for ever,
" shall be one distinct and separate body politic and cor-
" porate in deed and in word, by the name and style of
" ' The Governors, Principal, and Fellows of McGill Col-
" lege, at Montreal, in the said Province of Lower Can-
" ada,' and that by the same name they shall have per-
" petual succession and a common seal, and that they and
" their successors shall, from time to time, have full power
" to break, alter, make new, or change such common seal
" at their will and pleasure, and as shall be found expe-
" dient, and that by the said name the said Governors,
" Principal, and Fellows, and their successors, from time
" to time, and at all times hereafter, shall be a body politic
" and corporate in deed and in law, and be able and ca-
" pable to have, take, receive, purchase, acquire, hold, pos-
" sess, enjoy, and retain.
" And we do hereby, for Us, Our Heirs, and Succes-
" sors, give and grant full authority and free license to them
" and their successors, by the name aforesaid, to have,
" take, receive, purchase, acquire, hold, possess, enjoy, and

" retain, to ... for the use of the said College, notwith-
 " standing any statutes or statute of mortmain, any
 " manors, rectories, advowsons, messuages, lands, tenements,
 " rents, hereditaments of what kind, nature, or quality
 " soever, so as that the same do not exceed in yearly value
 " the sum of £6,000 above all charges; and, moreover, to
 " take, purchase, acquire, have, hold, enjoy, receive, possess,
 " and retain, notwithstanding any such statutes or statute
 " to the contrary, all or any goods, chattels, charitable or
 " other contributions, gifts and benefactions whatsoever;
 " and that the said Governors, Principal, and Fellows, and
 " their successors, by the same name, shall and may be
 " able and capable in law to sue and be sued, implead and
 " be impleaded, answer and be answered in all and every
 " Court or Courts of record or places of judicature within
 " Our United Kingdom of Great Britain and Ireland, and
 " Our said Province of Lower Canada, and other Our
 " dominions, and in all and singular actions, causes, pleas,
 " suits, matters, and demands whatsoever, of what kind
 " and nature and sort soever, in as large, ample, and bene-
 " ficial manner and form as any other body politic and
 " corporate, or any other our liege subjects being persons
 " able and capable in law may or can have, take, purchase,
 " receive, hold, possess, enjoy, retain, sue, implead, or
 " answer, or be sued, impleaded, or answer, in any manner
 " whatsoever.

" Authorized to hold property of what kind soever not exceeding in yearly value the sum of £6000 above all charges, to purchase and receive, to plead and be impleaded, &c."

" And We do by these presents, for Us, Our Heirs, and
 " Successors, will, ordain, and grant, that the Governors of
 " the said College, or the major part of them, shall have
 " power and authority to frame and make statutes, rules,
 " and ordinances touching and concerning the good gov-
 " ernment of the said College, the performance of Divine
 " Service therein, the studies, lectures, exercises, and
 " degrees in arts and faculties and all matters regarding
 " the same, the election, qualification, and residence of
 " the Principal, Professors, Fellows, and Scholars, the
 " salaries, stipends, and provisions for the Principal, Pro-
 " fessors, Fellows, and Scholars, and Officers of the said

"The major part of Governors to frame Statutes and Rules and the object of these Statutes and Rules specified."

" College, and touching and concerning any other matter
 " or thing which to them shall seem good, fit, useful, and
 " agreeable to this our Charter, provided that no such sta-
 " tutes, rules, and ordinances shall have any force or
 " effect until allowed and confirmed by Us, Our Heirs, and
 " Successors; and also from time to time to revoke, aug-
 " ment, or alter the same as to them, or the major part of
 " them, shall seem expedient, subject always to Our allow-
 " ance and confirmation as aforesaid, provided that the said
 " statutes, rules, and ordinances or any of them shall not
 " be repugnant to the laws and statutes of this Our realm,
 " and of our said Province of Lower Canada; and We do
 " hereby for Us, Our Heirs, and Successors, charge and
 " command that the statutes, rules, and ordinances afore-
 " said, subject to the said provisions, shall be strictly and
 " inviolably observed, kept, and performed, so long as they
 " shall respectively remain in force and effect, under the
 " penalties to be thereby or therein inflicted or contained;
 " And we do by these presents, for Us, Our Heirs, and
 " Successors, will, ordain, direct, and appoint, that the
 " members of the Royal Institution aforesaid, for the time
 " being, shall be visitors of the said College; And We do
 " further will, ordain, and grant, that the said College shall
 " be deemed and taken to be an University, and that the
 " Students in the said College shall have liberty and
 " faculty of taking the degrees of Bachelor, Master, and
 " Doctor in the several Arts and Faculties, at the appointed
 " time, and shall have liberty within themselves of per-
 " forming scholastic exercises, for the conferring of such
 " degrees, in such manner as shall be directed by the sta-
 " tutes, rules, and ordinances of the said College; And
 " We do by these presents for Us, Our Heirs, and Suc-
 " cessors, grant and declare that these Our Letters Patent,
 " or the enrolments or exemplifications thereof shall and
 " may be good, firm, and valid, sufficient and effectual in
 " the law according to the true intent and meaning of the
 " same, and shall be taken and construed and adjudged in
 " the most favourable and beneficial sense for the best

" Members of
 the Royal Insti-
 tution Visitors
 of the College."

" Students in
 said College
 shall have lib-
 erty of taking
 Degrees in the
 several Arts
 and Faculties."

" advantage of the said Governors, Principal, Fellows, and
 " Scholars of the said College at Montreal aforesaid, as
 " well as in Our Courts of Record, as elsewhere, and by all
 " and singular Judges, Justices, Officers, Ministers, and
 " other subjects whatsoever, of Us, Our Heirs, and Suc-
 " cessors, any misrecital, nonrecital, omission, imperfec-
 " tion, defect, matter, cause, or thing whatsoever to the
 " contrary thereof, in anywise notwithstanding, without
 " fine or fee, great or small, to be for the same in any
 " manner rendered, done, or paid to Us in Our hanaper
 " or elsewhere to Our use."

And whereas it is deemed expedient for the interests of
 the said College, and for the augmentation of its funds, and
 for the better and more easy management of its affairs and
 the government of the said College, to make certain altera-
 tions in the provisions of the said hereinbefore recited and
 existing Letters Patent, which said alterations are and
 have been assented to by the said Royal Institution for
 the Advancement of Learning and by the said Corpora-
 tion of the said College :

Now Know Ye, that We, of Our special Grace, certain
 Knowledge and mere motion, have willed, ordained and
 granted, and by these presents do, for Us, Our Heirs, and
 Successors, will, ordain and grant, that henceforth from the
 date hereof, the members of the Royal Institution afore-
 said for the time being shall be and remain Governors of
 the said College, and shall have and exercise all and every
 the powers, authority and jurisdiction given and granted
 unto the Governors nominated and appointed in and by the
 said Letters Patent, save only in so far as the provisions of
 the said Letters Patent in that behalf are or may be by
 these presents altered ; and shall also have and exercise all
 and every the powers, authority and jurisdiction given and
 granted under and by virtue of these presents ;

And We do further by these presents for Us, Our Heirs
 and Successors, will, and ordain, that henceforth from the
 date hereof, the Governor of Lower Canada, the Lieute-
 nant Governor of Lower Canada, the Lieutenant Governor

Expedient to
 make certain
 alterations in
 the above-recit-
 ed Charter of
 His late Majesty
 George IV.

Members of
 Royal Institu-
 tion for the time
 being to be Gov-
 ernors of the
 College.

The Governors
 appointed by
 the Charter of
 His late Majesty
 George IV. shall
 no longer act as
 such.

of Upper Canada, the Bishop of Quebec, the Chief Justice of Montreal, the Chief Justice of Upper Canada, and the Principal of the said College, shall not, nor shall any or either of them, as such Governor of Lower Canada, Lieutenant Governor of Lower Canada, Lieutenant Governor of Upper Canada, Bishop of Quebec, Chief Justice of Montreal, Chief Justice of Upper Canada, and Principal of the said College, be Governor of the said College, or use or exercise any power, authority or jurisdiction in or over the same in any manner or way whatsoever ;

And We do further, by these presents, for Us, Our Heirs and Successors, will, ordain and grant, that the said College shall consist of one Principal, of such and so many Professors in the various Arts and Faculties as from time to time may be judged necessary and expedient by the said Governors, and of Fellows, Tutors and Scholars, in such numbers and at such Salaries, and subject to such provisions, rules and regulations as shall be appointed by the Statutes, Rules and Ordinances of the said College ; that save and except for the purposes hereinafter specially mentioned and excepted, three of the said Governors shall be a sufficient number to be present at any meeting for the transaction of the ordinary business of the said College ; that the determination of all questions, matters and things submitted to the said Governors at their meetings shall be made by the votes of the majority of those present, including the vote of the Governor presiding at such meeting, who shall have a double or casting vote in the case of an equality of votes thereat ; that the President or Principal for the time being of the said Royal Institution, in all cases when present, shall preside at the said meetings, and in his absence the member of the said Royal Institution first or senior in order of appointment of those present at the meeting, shall preside thereat ; that the Principal and all the Professors of the said College shall from time to time be elected by the said Governors or the major part of them present at a meeting specially convened and holden for the purpose of such election, and shall and may hold their res-

College to consist of one Principal and as many Professors as may be necessary, and of Fellows, Tutors and Scholars.

At all Meetings the Presiding Governor shall have a casting vote in cases of equality of votes

President of Royal Institution to preside at all Meetings of Governors, or in his absence the Member present first in order of appointment.

Principal and Professors to be elected by Governors.

pective offices subject to the right and power of amotion by the said Governors for the time being, at a meeting specially convened and holden for the said purpose; provided always that no less than five of the said Governors shall be present at every such special meeting for the purpose of election or amotion, and that special notice in writing of the time, place and object of every such special meeting, by the Secretary of the said College, addressed to each of the said Governors, shall have been delivered by the said Secretary into the Post Office of the said City of Montreal at least fifteen days before the time appointed for such meeting; that within forty-eight hours after every such election or amotion, notice thereof in writing, sealed with the College Seal, signed by the Secretary of the said College or in his absence by the Governor who shall have presided at the meeting whereat such election or amotion shall have been voted, and addressed to Our Visitor of the said College hereinafter mentioned, for the time being, shall be delivered into the Post Office of the said City of Montreal; that every such election or amotion shall be subject to the review of Our said Visitor, whose determination thereon being signified in writing to the said Governors within sixty days after such delivery as aforesaid at the said Post Office of the City of Montreal, of the said notice of such election or amotion, shall be final and conclusive, unless the same by any order or orders to be by Us, Our Heirs or Successors made in Our or Their Privy Council shall be altered, revoked or disallowed as hereinafter is provided; that during the said last mentioned period of sixty days the said election or amotion, as the case may be, shall have no force or effect; and that failing such signification within the said last mentioned period, such election or amotion shall be and be held and taken to be by him approved and confirmed;

And We do further by these presents for Us, Our Heirs and Successors, will and ordain, that henceforth from the date hereof such election shall not be required to be notified to Us, Ours Heirs and Successors, in the manner provided and required in and by the said Letters Patent, or in any other manner or way whatsoever;

Five Governors at least to be present at elections or amotions.

Special Meetings how to be called.

Notice of election or amotion to be given to the Visitor.

Election or amotion subject to the Visitor's review who may signify his determination thereon within 60 days.

If no signification made by the Visitor, election or amotion to be held as confirmed by him.
Election not to be notified direct to the Crown.

College constituted a body Corporate, with like powers and privileges as in Original Charter.

And We do further by these presents, for Us, Our Heirs and Successors, will, ordain and grant, that the said Governors, Principal and Fellows, and their Successors for ever, shall be one body politic and corporate, by the name of "The Governors, Principal and Fellows of McGill College," and by the said name shall have perpetual succession, and a common seal, and shall by the same name sue and be sued, implead and be impleaded, and answer and be answered unto, in every Court of Us, Our Heirs and Successors, henceforth from the date hereof, and shall no longer be known by the name in the said Letters Patent mentioned, and shall retain all and every the property, franchises, rights and privileges granted under and by virtue of the said Letters Patent, and belonging to the said Corporation immediately before the date hereof, and shall be and remain liable to all claims and duties to which immediately before the date hereof they were subject, save only in so far as by these presents may be otherwise specially provided ;

Authorized to hold property, of what kind soever, not exceeding in yearly value £12,000.

And We do further by these presents, for Us, Our Heirs and Successors, will ordain and grant, to the said Governors, Principal and Fellows, and their Successors, by the name aforesaid, full authority and free license to have, take, purchase and hold, to them and their Successors to and for the use of the said College, any goods, chattels or personal property whatsoever ; and also that by the name aforesaid they shall be able and capable in law, notwithstanding any Statutes or Statute of mortmain, law, usage or custom whatsoever to the contrary, to have, take, purchase and hold to them and their Successors to and for the use of said College, any other manors, rectories, advowsons, messuages, lands, tenements, rents and hereditaments of what kind, nature, or quality soever, over and above the manors, rectories, advowsons, messuages, lands, tenements, rents and hereditaments in the said Letters Patent mentioned of the yearly value of Six thousand pounds above all charges as in the said Letters Patent is set forth, but not for the purpose or with the view of re-selling the same ;

provided always, that the whole shall not exceed the yearly value of Twelve thousand pounds above all charges, such annual value to be calculated and ascertained at the period of taking, purchasing or acquiring the same ;

And we do further by these presents, for Us, Our Heirs and Successors, appoint as our Visitor in and over and for the said College, Our Governor General of Our said Province of Canada, for the time being, or in his absence the Administrator of the Government of the same for the time being ; who shall exercise, use and enjoy all and every the powers and authority of a Visitor, for and in the name and behalf of Us, Our Heirs and Successors, of the said College in all matters and things connected with the said College, as to him shall seem meet, according to the tenor and effect of these presents, and of the laws in force in Our Realm of England in relation to such powers and authority.

Governor-General of the Province appointed Visitor of the College, with like powers as Visitors exercise in England.

And We do further by these presents for Us, Our Heirs and Successors, revoke and annul the power and authority in and by the said Letters Patent given and granted to the members for the time being of the Royal Institution for the Advancement of Learning, to be Visitors of the said College ; and do will and ordain that henceforth from the date of these presents the power and authority so given and granted to the said members of the said Royal Institution to be such Visitors, shall absolutely cease and determine, and shall not be exercised or used by them or any of them.

Members of the Royal Institution no longer Visitors.

And We do further by these presents, for Us, Our Heirs and Successors, will, ordain and declare that the Statutes, Rules and Ordinances from time to time framed and made by the said Governors of the said College, touching the matters and things in the said Letters Patent and in these presents enumerated, or any thereof, or for the revoking, augmenting or altering of any Statutes, Rules or Ordinances theretofore framed and made, so always as the same be not repugnant to the Laws of Our Realm or of Our said Province of Canada, or to the objects and provisions of this Our Charter, shall have full force and effect, without

Governors to make Statutes. By-laws, &c.

Certified Copies to be sent to Visitor, who may disallow the same within 60 days. If no disallowance signified, such Statutes to be held as approved.

the Allowance and Confirmation of Us, Our Heirs and Successors, as ordained in and by the said Letters Patent; provided always, that a certified Copy of all such Statutes, Rules and Ordinances, sealed with the College Seal and addressed to Our said Visitor of the said College for the time being, shall have been delivered into the Post Office of the said City of Montreal, and that the same shall not have been disallowed by Our said Visitor, and such disallowance signified in writing to the said Governors, within sixty days after such delivery of such Copy into the said Post Office.

Her Majesty reserves power to herself in her Privy Council to revise, confirm, alter, &c., decisions, sentences, or orders made by Visitor.

And We do by these presents, for Us, Our Heirs and Successors, expressly save and reserve to Us, Our Heirs and Successors, the power of receiving, and by any order or orders to be by Us, or Them made in Our or Their Privy Council revising, confirming, altering, revoking or disallowing, all or any of the decisions, sentences or orders so as aforesaid from time to time by the said Visitor to be made and rendered in reference to any such Statutes, Rules and Ordinances, or the disallowing thereof, or in reference to any matter or thing whatsoever, as to which any power or authority is by these presents given and granted to him;

The Charter of His late Majesty George IV. confirmed, except where specially altered by the present Amended Charter.

And We do by these presents, for Us, Our Heirs and Successors, will, ordain and grant, that nothing herein contained shall be held, construed or considered to have in any manner or way whatsoever revoked, cancelled, abrogated or altered the provisions, powers, authorities and grants in and by the said Letters Patent ordained and granted, or any thereof, save and except in the particulars hereinbefore specially and expressly set forth; but that all and every the said provisions, powers, authorities and grants in and by the said Letters Patent ordained and granted, shall subsist and continue in full force and effect, save and except in the particulars aforesaid, in the same manner as if these Our Letters Patent had never been made, ordained or granted; And We do further by these presents for Us, Our Heirs and Successors, grant and declare that these

Our Letters Patent, or the enrolment or exemplification thereof, shall be in all things valid and effectual in the Law according to the true intent and meaning of the same, and shall be taken, construed and adjudged in the most favorable and beneficial sense for the best advantage of the said College, and of the said Governors, Principal, Fellows and Scholars thereof, as well in Our Courts of Record as elsewhere, and by all and singular Judges, Justices, Officers, Ministers and other subjects whatsoever of Us, Our Heirs and Successors, any misrecital, non-recital, omission, imperfection, defect, matter, cause or thing whatsoever to the contrary thereof in any wise notwithstanding.

In witness whereof We have caused these Our Letters to be made Patent.

Witness Ourselves at Our Palace at Westminster, this sixth day of July, in the sixteenth year of Our Reign.
(1852.)

By Her Majesty's command,

(Signed)

EDMUNDS.

CONSOLIDATED STATUTES.

Chapter XVII.

An Act respecting the Royal Institution for the Advancement of Learning.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

CONSTITUTION, INCORPORATION, ETC.

Governor may
appoint Trustees
of Schools
of Royal Foundation.

1. The Governor may, by an instrument under the great seal of this Province, appoint such and so many persons as he sees fit, to be Trustees of the Schools of Royal foundation in Lower Canada, and of all other institutions of Royal foundation, established for the advancement of learning therein, and for the administration and improvement of all estates and property, in any manner appropriated to the said schools and institutions, for the purposes of education and the advancement of learning in Lower Canada, and may remove, from time to time, the said Trustees or any of them, and appoint others in the place of those so removed, or who die or resign their trust. 41 G. 3, c. 17, s. 1.

Such Trustees
to be a Corporation.

2. The said Trustees shall be a body corporate and politic, by the name of *The Royal Institution for the Advancement of Learning*; and by that name shall have per-

petual succession and a common seal, and may alter, break and make new the same, when and as often as they judge the same to be expedient; and may, by the same name, sue and be sued, implead and be impleaded, answer and be answered unto, in all or any Court of Record or places of judicature within this Province; and by the name aforesaid may purchase, take, hold and possess, without license in mortmain or *lettres d'amortissement*, all real or immovable property, money and movable property, paid, given, granted, purchased, appropriated, devised or bequeathed in any manner whatsoever, for and in favor of the said Schools and institutions of Royal foundation, to and for the purposes of education and the advancement of learning, within Lower Canada, and may do all and every lawful act and thing which any other body politic or corporate, by law, may do. 41 G. 3, c. 17, s. 2.

Their corporate name and powers.

3. All immovable property, and all rents and sums of money charged upon, and issuing or payable out of any immovable property, and all sums of money or movable property, paid, given, granted, purchased, appropriated, devised or bequeathed in any manner whatsoever, for and in favor of the said Schools and Institutions of Royal foundation, to and for the purposes of education and the advancement of learning within Lower Canada, shall be vested in the said Trustees for the uses and purposes herein mentioned; And the said Trustees, or the major part of them, may demise, let and lease any immovable property so given, granted, purchased, appropriated, devised or bequeathed, for any term of years not exceeding twenty-one years, and have, take and receive the rents, issues and profits thereof. 41 G. 3, c. 17, s. 3, and 16 V., c. 58, s. 7.

All the property belonging to Institutions of Royal Foundation vested in said Trustees.

4. The Governor may, by an instrument under the great seal of this Province, from time to time, appoint a President or Principal of the said Corporation hereby erected. 41 G. 3, c. 17, s. 4, part.

Their powers in respect of it.

President of Corporation.

5. In the absence of the President or Principal, the

If President be absent, who to preside at meetings. member first or senior in order of appointment, present any meeting of the said Corporation, shall preside. 16 V., c. 58, s. 1.

Officers. **6.** The said Corporation may appoint, from time to time, its Officers and servants, and may remove them. 16 V., c. 58, s. 2.

By-Laws, &c. **7.** At any Meeting of the said Corporation, held according to law, the said Corporation may provide and fix by By-laws, Rules and Orders, the place, times and manner in which the said Corporation shall assemble, and the number and description of members which shall be requisite for transacting the business and executing the trust of the said Corporation. 16 V., c. 58, s. 3.

By-laws for the management, &c., of Schools of Royal Foundation. **8.** The President and the number of members of the Corporation so fixed, being assembled at the place and times, in the manner so fixed, may make by-laws, rules, orders, constitutions and ordinances, not repugnant to the customs or laws of Lower Canada or the express regulations of this Act, as by them or the greatest part of them, then and there present, are judged necessary and expedient, as well for the direction, conduct and government of the said Corporation of the free Schools of Royal foundation in Lower Canada, and all other institutions of Royal foundation for the advancement of learning established within Lower Canada, and of the masters, teachers, professors and students thereof, respectively, as for the management and administration, improvement and amelioration of all estates and property, real or personal in any manner paid, given, granted, purchased, appropriated, devised or bequeathed, in any manner or way for and in favor of the said Schools and Institutions of Royal foundation, for the purposes of education and the advancement of learning within Lower Canada :

2. But nothing hereinbefore contained shall extend to, or shall prejudice, directly or indirectly, the religious com-

munities existing *de facto*, at the time of the passing of the Act 41 G. 3, c. 17, nor to any school or house of instruction then existing *de facto*, in Lower Canada, nor to any Corporation legally established in Lower Canada, nor to any private school or other private establishment by individuals, for the purposes of education. 41 G. 3, c. 17, s. 4. *part.*

This Act not to effect religious communities or private Schools.

9. All By-laws, Rules, Orders, Constitutions and Ordinances, made by the said Corporation after the Tenth day of November, one thousand eight hundred and fifty-three, not being repugnant to any law of this Province, shall have full force and effect without being sanctioned or confirmed by the Governor; but a certified copy thereof shall be sent to the Governor through the Post Office, and he may signify his disallowance of the same within sixty days thereafter. 16 V., c. 58, s. 4.

By-laws made since a certain date need not be sanctioned by the Governor.

10. The Governor may, by an instrument under his hand and seal at arms, appoint a fit and proper person to be the School-master of each free school of Royal foundation, established by virtue of this Act, and may, from time to time, remove such school-master, and appoint another in his stead, or in the stead of any master dying or resigning his trust,—and may fix the salary or annual stipend to be allowed to each such school-master; and no such master shall teach in any free school of Royal foundation established after the passing of this Act, 41 G. 3, c. 17, without a commission for that purpose from the Governor, under his hand and seal at arms. 41 G. 3, c. 17, s. 10.

Governor may appoint Masters of Free Schools.

ADMINISTRATION AND DISPOSAL OF PROPERTY BELONGING
TO M'GILL COLLEGE OR OTHERWISE VESTED IN
THE SAID CORPORATION.

11. The said Corporation of the *Royal Institution for the Advancement of Learning* may alienate and dispose in perpetuity of all such portions of all lands or real estate

Terms upon which Corporation may dispose of lands.

held by them in
trust for McGill
College.

by them held in trust for McGill College, or for any department or branch thereof, or for any Institution of Royal Foundation wholly or in part under their control, as they deem expedient for the ends of such trust, for a ground rent (*rente foncière*) or otherwise, subject to all such terms and conditions, whether in reference to time and mode of redemption of any such rent or otherwise, and with such formalities only of procedure, as they may deem advisable. And no such rent which they thus stipulate shall be redeemable nor the capital thereof exigible, otherwise than at such time or times and in such mode and after such notice as may have been stipulated, any general provision in these Consolidated Statutes to the contrary notwithstanding; except that if such rent be stipulated irredeemable, or not redeemable within at least thirty years, it shall *ipso facto* become and be redeemable and exigible at the expiration of such thirty years. 20 V., c. 53, s. 1.

Royal Institution may agree
for redemption
of certain *rentes*
foncières.

12. The said Royal Institution for the Advancement of Learning may agree with any holder of land heretofore alienated by them under authority of the Act of the eighth year of Her Majesty's Reign, Chapter seventy-eight, in consideration of an irredeemable ground rent (*rente foncière*) subject to an increase of twenty-five per cent. at the end of each twenty years up to one hundred, for the redemption of such rent on such terms as they deem expedient, and may take in discharge thereof the redemption money as so agreed upon, and shall deal with such redemption money as though it were received in redemption of an ordinary ground rent. 22 V., (1859,) c. 53, s. 1.

May cancel
deeds heretofore
granted
by them.

13. The said Royal Institution for the Advancement of Learning, if they deem it to the advantage of the said McGill College so to do, may cancel and annul any deed heretofore by them granted for the disposal of any portion of the said lands and real estate, upon such terms as by them and the other parties to such deed may be mutually agreed upon. 16 V., c. 58, s. 6, and 20 V., c. 53, s. 3.

14. The rents, issues and profits, and sums of money by the said Corporation held, possessed or received, shall be received by the Treasurer of the said Corporation, and be by him deposited and disposed of in such manner as, from time to time, the said Corporation may direct; but the said Corporation shall, on or before the first day of February in every year, furnish to the Governor a detailed statement and account, affirmed by the Treasurer before a Magistrate or Commissioner authorized to receive affidavits, of the receipt and expenditure of such moneys during the year immediately preceding. 16 V., c. 58, s. 7.

How revenues of Corporation shall be disposed of and accounted for.

15. All sums of money, from time to time to be received by the said Corporation, on account of purchase money of any real estate by them alienated, or on account of the capital of any ground rent, shall be by them dealt with as capital only, and not as income, and shall be invested either in productive real estate, or upon security thereof, or in public stocks or securities of the United Kingdom or of this Province, as soon as possible, and in such wise as the said Corporation deems most for the advantage of their trust; and such investments may from time to time be changed as occasion may require, so always as that all proceeds thereof be ever kept as capital and re-invested in the like manner; And the said Corporation shall at all times, in their yearly statement of account rendered to the Governor, specially and in detail state all such receipts and all such investments and re-investments as have taken place during the year covered by such statement. 20 V., c. 53, s. 2.

How money received as purchase money of real estate shall be dealt with.

16. The said Royal Institution for the Advancement of Learning may expend not more than ten thousand dollars, from any capital now or hereafter in their hands in discharge *pro tanto* of their present indebtedness incurred by reason of the re-building by them of Burnside Hall, in the year one thousand eight hundred and fifty-six. 22 V., (1859,) c. 53, s. 2.

May expend a certain amount in discharge of indebtedness for Burnside Hall.

17. Any moneys heretofore or hereafter received by the

Moneys received may be invested in real estate for their own use and occupation.

said Royal Institution for the Advancement of Learning on account of any real estate by them alienated or to be alienated, or on account of the capital of any ground rent, whether for McGill College aforesaid, or for any department or branch thereof, or for any Institution of Royal foundation wholly or in part under their control, may be by them invested in such buildings or other real estate as may be required for the actual use of such College or department or branch thereof, or institution, as the case may be. 22 V., (1859,) c. 53, s. 3.

Such investments to be included in annual report.

18. The said Royal Institution for the Advancement of Learning, shall, at all times in their yearly statements of account rendered to the Governor of this Province specially and in detail, state all such receipts and all such investments or re-investments as may have taken place under authority of this Act during the year covered by such statement. 22 V., (1859,) c. 53, s. 4.

Corporation may effect certain loans.

19. The said Corporation may further, from time to time, obtain and take loans of money, upon such security, whether by hypothecation of their said lands or of any part or parts thereof or otherwise, and upon such other terms and conditions as they may stipulate and assume; but the total amount of such loans shall not at any one time, in the whole, exceed the sum of twenty thousand dollars. 20 V., c. 53, s. 3.

XXVI Victoria.

An Act to amend the Act chapter seventeen of the Consolidated Statutes for Lower Canada, respecting the Royal Institution for the Advancement of Learning.

WHEREAS the Royal Institution for the Advancement of Learning, Governors of McGill College, by their petition have in effect set forth, that for many years past the said Royal Institution for the Advancement of Learning, Governors of McGill College have in fact had no functions to perform other than those incident to their capacity as such Governors, and no property or funds to administer, other than those appertaining to the said College and University, or to Departments or Institutions of Learning belonging or affiliated thereto,—that the endowments thereof are the result of private liberality, and that, for the further development of such liberality, and the advancement in other respects of the interests of the said University, it is desirable that the Provincial Statute constituting the said Royal Institution for the Advancement of Learning should be amended as hereinafter is set forth; and whereas it is expedient to grant their prayer for such amendment thereof; Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

1. Notwithstanding anything contained in the first, fourth, and fifth sections of the Act, chaptered seventeen of the Consolidated Statutes for Lower Canada, provision

Provision may be made by Statute of McGill College for augmenting the number of Trustees, &c., Con. Stat. L. C., Cap. 17, cited.

may from time to time be made by any Statute of McGill College and University aforesaid, duly passed, for augmenting the number of the Trustees, members of the Royal Institution for the Advancement of Learning, and Governors of the said College and University from the number of ten presently established, to not more than fifteen in the whole; and also for regulating the selection and appointment thereafter in such manner and with such formalities as may be deemed expedient, of fit and proper persons to become such Trustees; and also for fixing and limiting, in so far as may be deemed expedient, the term of office of such Trustees, and also for regulating the selection and appointment, in such manner and with such formalities as may be deemed expedient, and the duties, title and term of service, of the President or Principal of the said Royal Institution for the Advancement of Learning, and generally for the conducting of the affairs thereof, and of the said University; and any such Statute of the said University may thereafter, from time to time, be amended or repealed by any other Statute thereof, in like manner duly passed.

And touching appointment, duties, &c., of the President of the Royal Institution.

Enactments inconsistent with such Statute to stand repealed.

2. Upon the due passing of any such Statute or Statutes of the said University, so much of the said first, fourth, and fifth sections of the said Act as may be in anywise inconsistent therewith, shall wholly cease to have force and effect, to all intents as though hereby expressly repealed.

McGill College to be deemed a School or institution of Royal foundation.

3. The said University and the several departments or branches thereof, and such institutions of education as from time to time may have been or hereafter may be affiliated thereto, in terms of the Statutes thereof, shall alone be deemed to be Schools and Institutions of Royal foundation within the meaning of the said Act.

Section 10 repealed.

4. The tenth Section, and also the proviso or limitation forming part of the nineteenth section of the said Act, is hereby repealed.

Public Act.

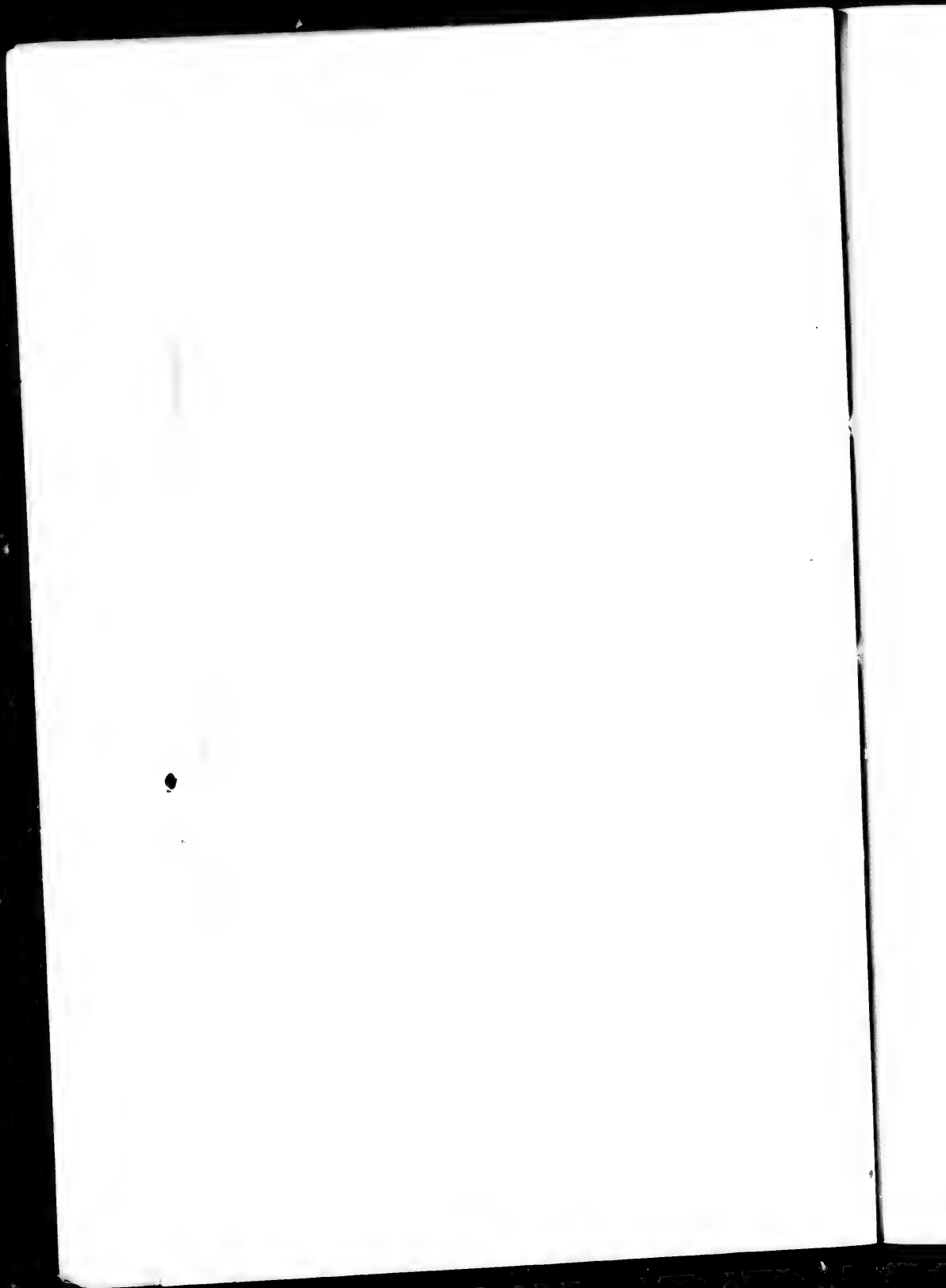
5. This Act shall be a Public Act.

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STATUTES

OF THE

McGill University.

CHAPTER I.

OF THE GOVERNORS.

1.—The Number of the Trustees, Members of the Royal Institution for the Advancement of Learning, Governors of McGill College and University, shall be not more than fifteen in the whole.

2.—They shall be Laymen of some Protestant denomination, selected with a view to the representation at the Board (so far as may be found practicable) of the several Protestant denominations in Lower Canada, and (at the time of their nomination) resident in Lower Canada; and none of them shall derive emolument from the College, or hold any appointment, or exercise any functions connected with the College, otherwise than as hereby provided, and incidentally to their charge as Governors.

3.—Resignations of the office of Governor shall be addressed to the Board, and by it accepted or otherwise acted on in its discretion.

4.—Vacancies on the Board whether by death, disqualification, resignation or otherwise, shall be filled by the Board, as soon after their occurrence as it may see fit. Provided always, that no such vacancy shall be so filled unless at a meeting specially convened and holden for that purpose,—that notice in writing of the time, place and object of such meeting, addressed to each of the Governors, shall have been delivered by the Secretary into the Post-Office of the City of Montreal, at least

fifteen days before the time appointed therefor—that not less than five Governors shall be present at such meeting,—that at least two-thirds of all the Governors shall subscribe on the records of the Board a declaration of their concurrence in and approval of each and every nomination made, failing which the same shall not be held to have been made,—and that within one week after such declaration shall have been so subscribed, a copy thereof sealed with the College Seal, and certified by the Secretary, or, in his absence, by the Governor who presided at such meeting, and addressed to the Visitor, shall be delivered into the Post Office of the City of Montreal.

5.—If within sixty days thereafter, the Visitor shall signify to the Board that he declines to confirm the nomination thereby declared, the appointment of such person as a Governor shall *ipso facto* cease and determine on and from the first day of January next following; and the same person shall not then be eligible to fill the vacancy so occasioned. In default of such signification within the said sixty days, such nomination shall be held to be confirmed.

6.—Should the total number of the Governors at any time fall below ten, and so remain for as long as three months, the Visitor may name in his discretion such one or more qualified persons as may be requisite to bring the total number of the Governors up to ten; and, every nomination so by him made, being transmitted to the Board in writing, under his hand and seal, shall be entered on the records of the Board, and shall take effect to all intents, as though the same had been in ordinary course made by the Board, and confirmed by the Visitor.

7.—The President of the Royal Institution for the Advancement of Learning shall be elected from time to time from among the Governors, by themselves; and shall hold office, unless sooner resigning, for so long as he shall remain a Governor; and shall also bear the title, and discharge the functions, of Chancellor of the University.

8.—Meetings of the Governors shall be held, whenever convened by order of the President, or of any two Governors, at such place and hour as from time to time may be fixed; and may be adjourned when necessary.

9.—At least three days' written notice of all such meetings shall be given by the Secretary to every Governor.

CHAPTER II.

OF THE PRINCIPAL AND VICE-CHANCELLOR.

1.—The Principal shall have general superintendence of all affairs of the College and University, under such Regulations as may be in force for the time being, and shall preside, when present, at the meetings of the several Faculties. He shall also perform such duties, in the instruction of Students, and otherwise, as may from time to time be assigned to him by the Governors.

2.—He shall also bear the title, and discharge the functions, of Vice-Chancellor of the University.

CHAPTER III.

OF THE FELLOWS.

The Fellows of the University shall be—the Deans of the respective Faculties, and the Rector of the High School; two Members of the Faculty of Arts, and one Member of each of the other Faculties, to be elected yearly by their respective Faculties; the Principal of the McGill Normal School, so long as it shall remain affiliated with the University; the several representatives of every Affiliated College in connection with the University, to be named as hereinafter is provided; the several Members of Convocation, to be thereby elected yearly as hereinafter is provided; and such other Members of Convocation, not more than five in number, as the Governors from time to time, for a term of not more than three years, may in their discretion see fit so to appoint.

CHAPTER IV.

OF THE CORPORATION OF THE UNIVERSITY.

1.—The Corporation of the University shall hold its Regular Meetings at such place and hour as from time to time may be ordained, on the fourth Wednesday in April, June, October, and January; Provided always, that if any such Wednesday shall fall upon a Holiday, the

meeting shall be deferred till the day following. The Corporation shall have power at such meetings to grant Degrees, deciding to that end upon such representations as may have been made by the various Faculties; to fix the day for the conferring of such Degrees, and for the public exercises to be performed by Candidates for the same; and to transact all other business; and any Regular Meeting may be adjourned when necessary.

2.—Special Meetings of the Corporation may be summoned at any time by order of the Chancellor, or of any two Governors, or of the Vice-Chancellor, for the transaction of any business other than that of granting Degrees or fixing the day for the conferring thereof; not less than three days' written notice being given, through the Secretary, to every member of the Corporation resident in Montreal. No business at all affecting any Affiliated College shall be transacted at any such Special Meeting, unless at the instance of such Affiliated College, or with the written consent of the Fellow or Fellows representing such Affiliated College.

3.—At all Meetings of the Corporation, seven shall be a quorum; and the Chancellor, or in his absence the Vice-Chancellor, or in absence of both Chancellor and Vice-Chancellor, such member as may be called to the chair by the Meeting, shall preside, and shall have a double or casting vote.

4.—The Corporation shall, from time to time, frame Regulations, as occasion may require, touching the general course of study and teaching in the several Faculties, in the Affiliated Colleges, and in the High School of McGill College; and touching all examinations, and other matters appertaining either to matriculation or to graduation in the University; may also, (subject to the approval of the Governors,) from time to time, frame Regulations, as occasion may require, touching Academic dress, or any other matter of general Academic interest; shall duly enforce such Regulations, and may alter or repeal the same or any of them; and may hear and determine any complaints as to the violation thereof. But no such Regulation shall be made or amended by the Corporation, until after opportunity given to the proper Faculty or Faculties, and also to any Affiliated Colleges which may be interested, to make such representations in the premises as they may see fit.

CHAPTER V.

OF THE CONVOCATION.

1.—The Convocation shall consist of the Chancellor and other Governors; the Vice-Chancellor; the Fellows; the Professors and other Instructing Officers, Members of the several Faculties; the Instructing Officers of Affiliated Colleges, being Graduates of any University, the Secretary, Registrar and Bursar, being a Graduate of any University; and the Graduates of the University.

2.—A Meeting of Convocation shall be held annually, on the day fixed by the Corporation for the conferring of Degrees; and due notice of such Meeting shall be given, by advertisement in at least one Newspaper published in the City of Montreal.

3.—At such Meeting the Vice-Chancellor, or in his absence the Vice-Principal, or in absence of both Vice-Chancellor and Vice-Principal, such other Officer or Officers of the University as by the Corporation may have been specially deputed thereto, shall confer such Degrees as shall have been previously granted by the Corporation.

4.—At such Meeting there may be elected, by ballot, by the Members of Convocation present, two Members of Convocation, being Professional Graduates in Law, two others being Graduates in Medicine, and two others being Graduates in Arts or Non-professional Graduates in Law, who shall thereupon become Fellows of the University, and shall be received into and be Members of the Corporation, as such Fellows, for the year ensuing, and until the next Annual Meeting of Convocation. The Corporation may from time to time, by Regulation, prescribe with what formalities such election shall be conducted.

5.—Special Meetings of Convocation may be held by order of the Corporation, for the conferring, by the proper officer, of any Honorary Degrees which the Corporation may have previously granted; for any public University exercises; or for election to fill any vacancy occurring by the death or resignation of any of such Fellows.

6.—At all Meetings of Convocation, the Chancellor, or in his absence the Senior Governor present, shall preside, and shall have a double or casting vote.

CHAPTER VI.

OF THE APPOINTMENT AND DUTIES OF OFFICERS, FACULTIES, &c.

1.—The Principal, Vice-Principal, Deans of Faculty, Professors, and all other Officers of the University (except the Demonstrator of Anatomy, who may be appointed by the Medical Faculty or by the Professor of Anatomy, if the Governors so allow or order, and in such case shall be removable at the pleasure either of the party so appointing him, or of the Governors), shall be appointed and shall hold office for and during the pleasure of the Governors, and no longer; and they shall receive such salaries and emoluments as may be fixed by the Governors. The several Professors and other Officers of the University shall have such titles of office, and discharge such duties, as may from time to time be assigned to them by the Governors.

2.—The Governors shall constitute such of the Professors, Lecturers, and Tutors, or other Instructing Officers of the University, as they may see fit, into the several Faculties of Law, Medicine, and Arts; and whenever they shall see fit, may also in like manner constitute other Faculties; and may, at any time, alter the composition of such Faculties, as they may see fit. Three Members of each Faculty shall be a quorum thereof, for transaction of business.

3.—The Governors shall appoint one of the Professors of the Faculty of Arts, to be Vice-Principal of the College and University, and Dean of the Faculty of Arts. Such Vice-Principal shall preside at all meetings of the Faculty of Arts, in the absence of the Principal; shall keep its records, or cause them to be duly kept by some other member of the Faculty, and (under the Principal) take general superintendence of its affairs; and, in the absence of the Principal, shall discharge his duties.

4.—The Governors shall appoint a Professor in each of the other Faculties to be Dean of such Faculty. Such Deans shall preside at all meetings of their respective Faculties, in the absence of the Principal; shall keep the records of such Faculties, or cause them to be duly kept by some other member of the Faculty; and (under the Principal) shall take general superintendence of the affairs of such Faculties respectively.

5.—The several Faculties shall from time to time frame Regulations, as occasion may require, touching the details of the course of study and teaching in their respective Departments of the University,—the number,

times and mode of all examinations thereto appertaining,—the admission of Students, whether to the Regular Course of Study thereof or to any Special Course of Study connected therewith, or to instruction in any particular branch of such study,—the amount and mode of payment of all Fees therein,—and the discipline and internal government thereof: and shall duly enforce such Regulations; and may alter or repeal the same or any of them; and shall hear and determine all complaints as to the violation thereof. Provided always, that such Regulations, or such alteration or repeal thereof, be first approved by the Corporation; that such Regulations shall be further subject to alteration or repeal by the Corporation; that no Student shall be expelled without the consent of the Corporation; and that the Corporation, if it see fit, may entertain appeal from any decision of a Faculty, whereby any punishment more severe than reprimand may have been imposed on any Student.

6.—Meetings of the Faculty of Arts shall be held at least once in every two weeks during the Academical year, at such time and place as by such Faculty may be appointed; and, in the absence of the Principal and Vice-Principal, the Senior Professor present shall preside.

7.—Meetings of the other Faculties shall be held as often as occasion may require, and at such time and place as by each Faculty may be appointed; and, in the absence of the Principal and Dean of Faculty, the Senior Member present shall preside.

8.—It shall be the duty of the Secretary, Registrar and Bursar of the University, to act as Secretary and Registrar to the Governors, Corporation, Convocation and High School Board, to summon all Meetings thereof, and to enregister, and (when necessary) carry into effect their respective proceedings; to take charge of the Corporate Seal and of the general Matricula or Register of the Members of the University, and of all its Charters, Records, and Muniments; to keep accurate Books of Account, in such form as from time to time shall be ordered by the Governors, of all revenues, receipts and expenditure of the University, with all requisite vouchers; to collect and receive all moneys, rents and revenues of the University, including those of the High School, from whatever sources derivable, except only (in the case hereinafter contemplated) those peculiar to the Faculties of Law and Medicine,—and forthwith to lodge the same to the credit of the "Royal Institution for the Advancement of Learning," in such chartered Bank in this City as may be

designated by the Governors; to submit at every Meeting of the Governors a minute of such collections and deposits, together with a statement of all moneys due to the University and not paid, and of all outstanding claims against the University; to pay all such claims, when ordered by the Governors, by his cheque, countersigned always by at least one Governor, being of the Committee of Finance for the time being; to inspect all lands, buildings and other property of the University, and report promptly to the Governors all necessary repairs and expenditures thereon, and superintend, under their directions, the execution of such repairs or expenditure; to present a full statement of his accounts, exhibiting in detail all revenues, receipts and disbursements of the University, to the Corporation at its Regular Meeting in October yearly, as also to the Governors, at all such periods as they shall direct; and generally, to obey and carry out all instructions of the Governors and of the Corporation. Provided always, that so long as the Governors shall see fit to maintain the usage heretofore practised in that behalf, it shall be competent to them from time to time to name—or to allow the Faculties of Law and Medicine respectively, by Regulation or otherwise, to name—any Member of such Faculty to be the Bursar thereof, under such Regulations as they, the Governors, may direct or allow, and in that case each such Bursar shall report in writing, fully and in detail, as to all matters falling under his charge, to the Secretary, Registrar and Bursar, at least once in every year, when and as the Governors may direct or allow,—and each such Bursar's Books, Accounts and Vouchers shall be open at all times to the inspection and audit of the Secretary, Registrar and Bursar, and sufficient abstracts and statements therefrom shall always by him be kept of record in his general Books of Account, and exhibited in his Reports. The Secretary, Registrar and Bursar shall further enter into bonds towards the Corporation, with security to the satisfaction of the Governors, in such sum not less than one thousand dollars, as they may from time to time ordain, for the faithful accounting for all moneys collected or received by him, and the correct performance of his duties generally.

CHAPTER VII.

OF MATRICULATION, COURSES OF STUDY, FEES, &c.

1.—No person shall matriculate as a Student in any Faculty, unless

after such examination as the Regulations of the Corporation may require.

2.—The Dean of each Faculty shall keep or cause to be kept a Register of all Students of such Faculty; wherein shall be inscribed the Christian and Surnames of all such Students, with their ages and places of birth and education, and the names, places of residence and profession or calling of their Parents or Guardians, and whereon each Student shall subscribe his name to a Declaration that he will faithfully observe the Statutes, Rules and Ordinances of the University; and the contents of such Registers shall be fairly entered in the general Matricula or Register, to be kept by the Secretary, Registrar and Bursar of the University.

3.—The Fees for Matriculation and for Tuition in the several Faculties, and for the Library or Libraries of the University, shall be such as from time to time by the Regulations of the Corporation, or of the several Faculties, may be ordained; and shall be payable as thereby required.

4.—The Academical Year for the several Faculties shall commence on the sixth day of September, and shall end on the first day of May, or such other day as may be fixed by the Corporation, for the conferring of Degrees. There shall be a Christmas Vacation of not more than two weeks, and which shall include Christmas day and New Year's day. Provided, however, that it shall be competent to any Faculty by Regulation or Order (subject always to approval or amendment by the Corporation) to provide for the opening either of its Regular Course of Study, or of any Special Course of Study connected with such Faculty, on any convenient day other than that of the commencement of the Academical Year,—and also for the prolonging of any such Course, whether Regular or Special, beyond the close of the Academical Year, or for the delivery of any Course or Courses of Lectures or Instruction between the close of the Academical Year and the time of the opening of such Course of Study, Regular or Special.

5.—The Regular Course of Study of the Faculty of Law shall extend over three years; that of the Faculty of Medicine over four years; that of the Faculty of Arts over four years; and that of any other Faculties respectively, when established, over such number of years as by Statute in that behalf shall hereafter be ordained. In each Faculty, the detail of the Course shall be such as from time to time shall be prescribed by its Regulations; and Students qualified to enter at an advanced period

of such Course, shall be allowed so to do, within such limits always as such regulations may permit.

6.—Special Courses of Study may be established and maintained in connection with any Faculty or Faculties, under such designations, and on such terms as, by Regulation of such Faculty or Faculties (duly approved by the Corporation), may be from time to time ordained.

CHAPTER VIII.

OF DEGREES.

1.—Students who shall have completed the Regular Course of Study in Arts, shall have passed the prescribed examinations during the Course, and also the special examinations for Graduation, and shall have performed such exercises as may be prescribed to that end,—the whole to the satisfaction of the Faculty of Arts, and also of any other Examiners whom the Corporation may associate with such Faculty,—shall be entitled to the Degree of Bachelor of Arts.

2.—Bachelors of Arts of at least three years' standing shall be entitled to the Degree of Master of Arts, after such examination and the performance of such exercises as, by the Regulations of the Corporation in that behalf, shall be prescribed.

3.—Students who shall have completed the Regular Course of Study in Law, shall have passed the prescribed examinations during the Course, and also the special examinations for Graduation, and shall have performed such exercises as may be prescribed to that end,—the whole to the satisfaction of the Faculty of Law, and also of any other Examiners whom the Corporation may associate with such Faculty,—shall be entitled to the Degree of Bachelor of Civil Law. Provided always, that any such Student, if he be either a Bachelor or Master of Arts, or an Articled Student with a practising Member of the Bar of Lower Canada, who shall have matriculated in the third year of his Clerkship under such Articles, shall be entitled to such Degree after two years' attendance on the said Course of Study, if he shall satisfactorily pass all requisite examinations, and perform all required exercises.

4.—No person shall be admitted in Course to the Degree of Doctor of Laws, unless he be a Master of Arts of twelve years' standing, nor to

that of Doctor of Civil Law, unless he be a Bachelor of Civil Law of twelve years' standing; nor until he shall have passed such examination and performed such exercises, as by the Regulations of the Corporation in that behalf shall be prescribed.

5.—Students who shall have completed the Regular Course of Study in Medicine, and shall have passed the prescribed examinations during the Course, and also the special examinations for Graduation, and shall have performed such exercises as may be prescribed to that end,—the whole to the satisfaction of the Faculty of Medicine, and also of any other Examiners whom the Corporation may associate with such Faculty,—shall be entitled to the Degree of Doctor of Medicine and Master of Surgery.

6.—Upon the organization of any other Faculty or Faculties, there shall be granted therein such Degrees as by Statute in that behalf shall hereafter be ordained.

7.—Students who shall have completed any Special Course of Study, duly established in connection with any Faculty or Faculties, and shall have passed the prescribed examinations during such Course, and also the special examinations for Graduation, and shall have performed such exercises as may be prescribed to that end,—the whole to the satisfaction of such Faculty or Faculties, and also of any other Examiners whom the Corporation may associate with such Faculty or Faculties,—shall be entitled to the Degree of Graduate in such Special Course.

8.—Graduates of other Universities, desirous of admission to the like Degree in this University, may be so admitted by the Corporation; due inquiry being first made as to their moral character and sound learning, and opportunity given to the several Faculties to make such representation in the premises as they may see fit. Provided always, that, unless by unanimous consent, such admission shall not be put to vote until after three months' notice, and shall not be ordered, if as many as three Members of the Corporation shall vote against it.

9.—Honorary Degrees may be granted by the Corporation to any persons who may be considered worthy of such distinction; due enquiry being first made, and opportunity given to the several Faculties to make such representation in the premises as they may see fit. Provided always, that, unless by unanimous consent, the grant of such Degree shall not be put to vote until after three months' notice, and shall not be ordered, if as many as three Members of the Corporation shall vote against it.

10.—The Fees on all Degrees shall be such as from time to time shall be fixed by the Regulations of the Corporation. Such Fees shall always be deposited with the proper Officer, before a Degree is conferred; and no Diploma shall be given, until the Degree shall have been conferred.

11.—Degrees in Course may always be refused, if the conduct or character of the Candidate be open to objection.

CHAPTER IX.

OF SCHOLARSHIPS, &c.

1.—There shall be maintained such and so many Scholarships for Students in Arts, and for Pupils in the High School, as the Governors from time to time shall authorize; and on such terms, as regards appointment, tenure, and emolument, as by the Regulations of the Governors and Corporation in that behalf shall from time to time be prescribed.

2.—It shall be competent to the Governors, if they shall see fit, to create and maintain Scholarships for Students in any other Faculty or Department of the University, and, with concurrence of the Corporation, to make all needful Regulations from time to time touching the same.

3.—Donations for the endowment of Scholarships, Bursaries, Prizes or Medals, may be held by the Governors under such conditions as may be agreed on with the donors thereof; and, subject to such conditions, shall be applied as by the Regulations in that behalf of the Governors and Corporation shall from time to time be prescribed.

CHAPTER X.

OF MORAL CONDUCT AND DISCIPLINE.

1.—Every exertion shall be made by all Members of the University, for the maintaining of good morals, and the due observance of all Statutes and Regulations of the University.

2.—No Member of the University shall promulgate any principles adverse to good morals.

3.—No Member of the University shall break, deface, or injure, any buildings, walls, doors, fences, or other property of the University.

CHAPTER XIII.

OF THE MCGILL NORMAL SCHOOL.

The McGill Normal School, so long as it shall remain under charge of the Corporation, shall be held to be affiliated with the University; and the Pupil Teachers thereof shall enjoy such facilities in respect of Study and of Degrees in the University, as the Corporation from time to time may find it practicable and expedient, by Regulation, to grant to them.

CHAPTER XIV.

OF AFFILIATED COLLEGES.

1.—Any incorporated Collegiate Institution in this Province, having such staff of Instructing Officers, and providing for such Course of Tuition thereat, as by the Corporation may be deemed sufficient to enable it to carry its Students to the Degree of Bachelor of Arts, may be admitted as an Affiliated College of the First Class, in connection with the University.

2.—Any such Institution, having a staff of Instructing Officers, and providing for a Course of Tuition thereat, sufficient in the opinion of the Corporation to enable it to carry its Students up to the Intermediate Examination prescribed for the Degree of Bachelor of Arts, may be admitted as an Affiliated College of the Second Class, in connection with the University.

3.—Any incorporated School of Theology in this Province, having a staff of Instructing Officers, such as by the Corporation may be deemed sufficient, and desiring to obtain for its Students the advantage, in whole or part, of the Course of Study in Arts of the University, may be admitted as an Affiliated Theological College, in connection with the University.

4.—No such Institution or School shall be admitted to affiliation, unless by a two-thirds vote of the Members of the Corporation present at a Regular Meeting thereof, and also by a two-thirds vote of the Governors present at a Meeting of the Governors specially called to consider thereof. Nor shall the question of such admission be put to

vote at either of such Meetings, until after opportunity given to the several Faculties to make such representations in the premises as they may see fit; nor yet, unless by unanimous consent, until after three months' notice first given.

5.—Students of any Affiliated College, desiring to graduate in Arts in the University, may matriculate therein, upon passing such examination as the Regulations of the Corporation in that behalf may require, and otherwise conforming to such Regulations; and having so matriculated, shall be borne on the Books of the University, as Matriculated Students thereof,—may pursue their studies, either wholly or (within such limits as the Regulations of the Corporation may prescribe) in part, in such Affiliated College,—shall be allowed, within like limits, if desired, to pursue their studies in part under the Faculty of Arts,—and shall be admitted to the Examinations for Graduation in Arts, and also to Degrees in Arts, on the same footing with Students matriculated directly under the Faculty of Arts.

6.—The Corporation may, at any time, by Regulation in that behalf, grant such further facilities as may be deemed expedient, for the admission of the Students of any Affiliated College, or of any particular Classes of such Students, to the whole or to any part of the Course of Tuition of any Faculty, or to the whole or to any part of the Tuition provided for any established Special Course of Study; and may from time to time, by like Regulation, modify or withdraw such facilities.

7.—Any Affiliated College of the First Class, having regularly established therein any other Faculty or Faculties, besides that of Arts, may apply for and obtain from the University its recognition of such Faculty or Faculties.

8.—Such recognition shall only be accorded by the like votes of the Corporation and Governors, and under the like restrictions, as are above prescribed, for admission of a College to Affiliation.

9.—Students under such recognized Faculties shall have such facilities granted them, in respect of the Course of Tuition and Degrees of the corresponding Faculties in the University, as the Corporation, by its Regulations in that behalf, may from time to time allow.

10.—Every Affiliated College shall be entitled to be represented in the Corporation, by one or more of its Officers, to be from time to time elected or otherwise designated, as the Corporation and Governors by

their vote shall have prescribed or authorized ; that is to say, each such College of the First Class, by two Representative Fellows, and also by one additional Representative Fellow for each Faculty therein besides that of Arts, which may have been recognized by the University as above provided ; and each Affiliated Theological College, and each Affiliated College of the Second Class, by one Representative Fellow.

11.—Any Affiliated College may be raised from the Second to the First Class, or *vice versa* ; but only by the like votes of the Corporation and Governors, and under the like restrictions, as are above prescribed for the admission of a College to Affiliation.

12.—Every Affiliated College shall be held to report from time to time to the Corporation, as to the regulations and affairs thereof, to the satisfaction of the Corporation, at such times and in such form as the Corporation, by its Regulations or otherwise, may require.

13.—Any Affiliated College may at any time, by duly notifying the Corporation to that effect, withdraw from its connection with the University.

14.—The Corporation and Governors may also, at any time, by the like votes, and under the like restrictions, as are above prescribed for the admission of a College to Affiliation, terminate the connection of any Affiliated College with the University.

CHAPTER XV.

OF AFFILIATED SCHOOLS.

1.—Any School in this Province, providing for such Course of Tuition thereat, as by the Corporation may be deemed sufficient to enable it to carry its Pupils up to the Examination prescribed for Matriculation in the Faculty of Arts of the University, may, by vote of the Corporation duly passed at a Regular Meeting thereof, after opportunity given to the Faculty of Arts to make such representation in the premises as it may see fit, be admitted as an Affiliated School in connection with the University.

2.—Every such School, while so affiliated, will be held to maintain such Course of Tuition thereat, to make such periodical returns to the

Corporation, and otherwise to be subject to such Visitation, on the part of the Corporation, as the Corporation, by Regulation or vote in that behalf, shall from time to time ordain.

3.—Every such School, while so affiliated, shall enjoy such privileges, in respect of Scholarships for its more distinguished pupils, and otherwise, as the Corporation, by Regulation or vote in that behalf, approved by the Governors, shall from time to time ordain.

4.—Any such Affiliated School may at any time, by duly notifying the Corporation to that effect, withdraw from its connection with the University.

5.—The Corporation also may at any time, by a vote duly passed at a Regular Meeting thereof, terminate the connection of any such Affiliated School with the University.

CHAPTER XVI.

OF SCHOOL EXAMINATIONS.

The Corporation may from time to time, by Regulation in that behalf, provide for the periodical Examination of all Pupils presenting themselves, from whatever School or Instructor, as Candidates for a Certificate of proficiency in the various branches of School Education, or in any thereof; and for the granting of Certificates at such Examinations; and also (but subject to the approval of the Governors), for the according of Scholarships, or other special distinctions or rewards, to the more distinguished of such successful Candidates.

CHAPTER XVII.

OF REPEAL OR AMENDMENT OF STATUTES.

No motion for the repeal or amendment of any Statute, or for the passing of any new Statute, shall be finally put to the vote at any meeting of the Governors, unless in virtue of an order to that effect made at a previous meeting of the Governors, after opportunity given to the Corporation to consider the same at a Regular Meeting thereof, and to make such representations in the premises as it may see fit; and when-

ever such order shall have been made, the Secretary shall embody the terms of such motion in the notice to be given to each Governor, convening the meeting whereat the same may have been ordered for final vote; and at such meeting no amendment of such motion shall be allowed.

CHAPTER XVIII.

OF REPEAL OF FORMER STATUTES.

All Statutes of the University heretofore in force, are hereby repealed.

Enacted and passed this eighteenth day of February, in the year of Our Lord, one thousand eight hundred and sixty four.

In witness whereof, we have hereunto set our names, and the Seal of the Corporation.

(Signed,)



CH'S. D. DAY, PRESIDENT.
J. FERRIER,
T. B. ANDERSON,
BENJ. HOLMES,
A. ROBERTSON,
CHRIST'R. DUNKIN,
WILLIAM MOLSON,
A. MORRIS,
JOHN ROSE.